

City of Selah  
Council Minutes  
October 10, 2017

Regular Meeting  
Selah Council Chambers  
115 West Naches Avenue  
Selah, WA 98942

A. Call to Order Mayor Raymond called the meeting to order at 4:01pm.

B. Roll Call

Members Present: John Tierney; Roy Sample; Roger Bell; Diane Underwood; Russell Carlson

Members Absent: Paul Overby; Laura Ritchie

Staff Present: Donald Wayman, City Administrator; Robert Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Gary Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Eric Steen, Deputy Police Chief; Ty Jones, Public Works Utility Supervisor; Jeff Peters, Community Development Supervisor; Dave Mullen, Recreation Manager; Bree Tait, Civic Center Manager; Andrew Potter, Human Resources Manager; Monica Lake, Executive Assistant

C. Councilmember Absence – Motion to Excuse

**Council Member Tierney moved, and Council Member Bell seconded, to excuse the tardiness of Council Members Overby and Ritchie. By voice vote, approval was unanimous.**

**Council Member Overby joined the meeting.**

D. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance.

E. Invocation

Dr. Charles Bonner gave the prayer.

**Council Member Ritchie joined the meeting.**

F. Agenda Changes **None**

G. Public Appearances/Introductions/ Presentations **None**

H. Getting To Know Our Businesses **None**

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Lisa Willey, Selah Viking Crew, approached the podium and addressed the Council. She stated that she was there on behalf of the Viking Crew, and they wanted to thank the City for such an awesome parade last week and the support they gave them. She said that it was a lot of fun for the kids, with thirty-one entries and all five schools represented, and that next year they would be changing the start time to 6:15pm instead of 6pm, to hopefully give people time to get home. She listed the various ways they advertised the parade this year, and that next year they plan to purchase signs for both the end of town and by R&Q Parts to inform people of the date and time.

Seeing no one else rise to speak, Mayor Raymond closed the meeting.

2. Written **None**

J. Proclamations/Announcements **None**

K. Consent Agenda

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (\*) were considered as part of the Consent Agenda.

- \* 1. Approval of Minutes: September 15, 2017 Council Retreat and September 26, 2017 Council Meeting

- \* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 81112 – 81134 for a total of \$267,003.05  
Claim Checks Nos. 70169 – 70247 for a total of \$379,924.84

**Council Member Tierney moved, and Council Member Overby seconded, approval of the Consent Agenda as read. By voice vote, approval was unanimous.**

L. Public Hearings

1. Open Record Hearing –Revenue Sources for the 2018 Budget

Clerk/Treasurer Novobielski addressed L – 1. He stated that this is a public hearing on revenue sources for the 2018 budget, saying that the City is electing to increase property taxes by one percent, as allowed without going to the voters, which would result in an increase of fifteen thousand, six hundred seventy-nine dollars, and that the Assessor has indicated that they should receive approximately twenty-three thousand in new construction taxes as well. He explained the breakdown of property taxes, which would

actually result in a slight overall decrease within the City, noting that it would break down to ten percent for streets, twenty for fire, and the remainder into the General Fund.

Council Member Bell expressed his surprise at the postcard he had received from the Yakima County Assessor, which indicated that his assessed value had decreased, and wondered if that was a trend.

Clerk/Treasurer Novobielski responded that he could only speak as to the properties he owned, which either increased or stayed the same, and that he would need to discuss the matter with the Yakima County Assessor's office. He moved onto utility rates, reminding those in attendance that the rate increases were projected in the long-term plan for the utility department done by HLA, which would be a four percent increase for both water and garbage and a three percent increase for sewer. He referred Council to the information provided for examples of the effect it would have on an average bill.

Council Member Tierney asked if the increase listed for utility tax was based on rate increases.

Clerk/Treasurer Novobielski answered in the affirmative.

Mayor Raymond opened the Public Hearing. Seeing no one come forward, she then closed the Public Hearing.

M. General Business

- |    |              |             |
|----|--------------|-------------|
| 1. | New Business | <b>None</b> |
| 2. | Old Business | <b>None</b> |

N. Resolutions

- |    |  |
|----|--|
| 1. | Resolution Authorizing the Mayor to Sign a Maintenance Contract with Cross Match Technologies, Inc. for Equipment and Advantage Software |
|----|--|

Deputy Police Chief Steen addressed N – 1. He said that the contract before them is for technical services for the live scan fingerprinting machine obtained with a grant from the State in 2015, and that our IT people are unable to provide service for the machine due to proprietary software. He noted that the first year of technical services had been covered under the grant.

**Council Member Tierney moved, and Council Member Underwood seconded, to approve the Resolution Authorizing the Mayor to Sign a Maintenance Contract with Cross Match Technologies, Inc. for Equipment and Advantage Software. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

O. Ordinances

1. Ordinance Amending Selah Municipal Code Chapter 3.02, "GARBAGE" to require Commercial and Industrial Bins be Screened from View and Located within Enclosures off City Right-of-way and Modifying the Definition and Penalty Provisions; Establishing an Effective Date; and, Providing for Severability

City Attorney Noe addressed O – 1. He stated that this Ordinance amends Chapter 3.02, with the amendments in bold and underscored format, with the first change requiring commercial establishments to place their bins in a screened location outside the City right of way, which would block them from sight and protect them from spreading garbage about the City, and the second provision relating to how long residential customer can keep bin out for pick-up, with twenty-four hours prior to and twenty-four hours after pickup to remove cans from the right of way or road.

Council Member Underwood wondered what a person would do if they were on vacation, as she would put hers out before leaving.

City Attorney Noe responded that, depending on when they go on vacation, they could leave the can out from 7am on Thursday.

City Administrator Wayman suggested getting a get neighbor to take it in.

Council Member Ritchie commented that, as long as it is a reasonable cause, it would be okay.

City Attorney Noe remarked that they are trying to prevent chronic offenders with the changes.

Council Member Ritchie asked if the restriction for commercial establishments only applied to new establishments.

City Attorney Noe responded that there are provisions in the development code that talk about new development, but this would be applicable to all, pre-existing or not. He noted that the development regulations are grandfathered in, but this is within the scope of their powers to require all businesses to comply.

Council Member Ritchie inquired about the City's plan to get compliance.

City Administrator Wayman answered that they would give notices out for commercial or multi-family units, make sure they understand the new Ordinance and what is expected, give them a ninety day period to adjust to new code and then move on from there to enforcement.

Council Member Ritchie inquired about the fiscal impact for individual businesses.

City Administrator Wayman replied that they had talked about enclosures before and the cost of a pad and slatted cyclone fence would be roughly fifteen hundred dollars per enclosure.

Community Development Supervisor Peters added that it would depend on the size of the pad, as materials would be around one to two thousand dollars plus cost for labor and the concrete pad. He noted that they already have businesses that are starting to comply with this.



Council Member Ritchie read aloud a part of section 8, wondering how that would apply when they are trying to fill the container.

City Attorney Noe responded that they could open the gate to access the bin.

Council Member Ritchie suggested that they change it to remove the provision. She also expressed concern regarding a definition in Section 3 b.

Community Development Supervisor Peters stated that it's defined in Chapter 10 of the Municipal Code.

Council Member Ritchie wondered about the rationale of Section 3.02.020 with regard to the restriction regarding yard waste.

City Attorney Noe said that is old pre-existing language, and he doesn't know why it is there.

Council Member Ritchie didn't feel the restriction should remain since they are making it enforceable.

City Attorney Noe thought that perhaps the hauler might require the restriction.

Clerk/Treasurer Novobielski commented that citizens can get optional yard waste service.

Mayor Raymond opined that if someone had dumped clippings in bottom of the can it would compact and not dump.

Council Member Tierney remarked that the Ordinance says to take yard waste from bags.

City Attorney Noe asked if Council desired to strike that.

Council Member Ritchie stated that she would like to.

Council Member Tierney suggested that they also strike the last sentence in 4 regarding the contents of plastic bags emptied into a trash container if they are striking 02.020.

City Attorney Noe suggested striking 4 altogether.

Council Member Carlson wanted to see what the hauler had to say.

Council Member Underwood said that they told her to place yard waste in plastic bags.

Council Member Carlson reiterated that they should talk with them to avoid doing something contrary to the contract.

City Attorney Noe commented that they would bring it back if the hauler had an issue with it.

Council Member Tierney said to strike 4.

Council Member Ritchie added that they should also strike the last paragraph.

City Attorney Noe noted that they would strike both the last and second to last.

Council Member Tierney wondered about the mandatory recycling outlined in 3.02.030.

City Attorney Noe responded that this has been on the books.

Council Member Ritchie thought they should strike that, as it sounds very Seattle-esque, not Selah.

Council Member Tierney agreed.

Council Member Ritchie asked if the income amount defining a low-income person in 3.02.090 needed to be updated.

Clerk/Treasurer Novobielski responded that he tries to monitor the State's low income parameters, and that the most recent time he evaluated that was last year.

Council Member Tierney suggested a change to paragraph two of 02.030, changing the recycle bins shall be placed to may be placed.

Council Member Ritchie had a problem with it not saying where recycle bins are placed.

Council Member Tierney responded they could add if furnished to the paragraph.

Clerk/Treasurer Novobielski commented that it is a voluntary optional service, and if they opt for the service than there should be certain requirements.

Council Member Ritchie wondered about being more specific at the end of the section.

City Attorney Noe suggested changing it to except when necessary to access the container by striking the part where it says when refuse occurs. He read aloud all the changes Council desired to make to the Ordinance.

**Council Member Ritchie moved, and Council Member Tierney seconded, to approve the Ordinance Amending Selah Municipal Code Chapter 3.02, "GARBAGE" to require Commercial and Industrial Bins be Screened from View and Located within Enclosures off City Right-of-way and Modifying the Definition and Penalty Provisions; Establishing an Effective Date; and, Providing for Severability, with the changes discussed during the meeting. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

P. Public Appearances

None

Q. Reports/Announcements

1. Departments

Deputy Police Chief Steen thanked Council for approving the contract and gave a brief update on the progress of the new roof.

Fire Chief Hanna said that he spent last Wednesday with the Washington Survey and Rating Bureau, and he does not anticipate a rating change. He noted that they have been blowing hydrants and will finish that this week, and are also processing new recruits.

Public Works Utility Supervisor Jones said that the contractor is on site at Volunteer Park installing the toy set, and gave a brief update on other departmental items.

Community Development Supervisor Peters said that Planning has been busy, briefly reviewing the various items coming to both the Planning Commission and Council over the next three months. He noted that there would be a kickoff meeting regarding the subarea plan at 5:30pm on November 8th at the Civic Center, and those who wished to meet individually could call to set up a meeting. He went on to say that he has met with the Selah Downtown Association regarding the subarea plan, and they have also extended an offer to a replacement for Jamie Pellicer-McCann, and she has accepted it.

Council Member Carlson asked about the discussion on page three of the Planning Commission minutes regarding structural diversity for SFAU, wondering why they discussed only requiring it in R-1 zones.

Community Development Supervisor Peters responded that it would be required for all types, and they talked about only R-1 because that would be where it would have the most impact. He said that the regulations put to the Planning Commission were reviewed at the last meeting, which was a study session with no formal acceptance until after a public hearing. He added that one Commissioner was not present and may have something to say about that, adding that they need to have a proposal to move forward and do an environmental review, which can be changed or modified at the public hearing, and that this body can accept, reject, modify or remand it back to the Planning Commission.

Council Member Carlson asked about adding minimum design standards, as citizens have expressed concern regarding construction going up next to them, and he felt it would be more accepted if there were design standards to make it more appealing, such as façades and property landscaping.

Community Development Supervisor Peters observed that beauty is in the eye of the beholder. Structural diversity is a hard topic for communities to tackle, as it can be costly for developers to go through a design committee and it can stifle or deter development, but they could put in a requirement that the person constructing it have architectural diversity from one another in size, scale and massing, and submit architectural renderings to be mailed out to those within a six hundred foot radius with a twenty day public comment period to respond.

Council Member Carlson wondered how the Council would instruct the Planning Commission to set a precedent on guidelines and standards.

Community Development Supervisor Peters replied that his recommendation would be to see how the process works out, as the next step is a design committee. He was not ready to say that the Code is defunct, as what they are proposing is a step past the City of Yakima's process with higher levels of review. He noted that they are also requiring larger lot sizes which would deter from building the same things as in other places, per the request of the Mayor and City Administrator.

Council Member Sample wondered about the five thousand square foot lot per unit requirement when the R-1 code already allows a duplex lot for every ten single family lots with the requirement that the duplex lot be at least nine thousand square feet, which would be forty-five hundred versus five thousand. He mentioned that Goodlander Square used three different designs for their buildings.

Community Development Supervisor Peters said that they would have to have architectural features that make them different from one another, that they can't look like a cookie cutter design.

City Administrator Wayman noted that the two units attached would look similar, but neighboring units would be diverse.

Council Member Sample commented that the chances are that a subdivision would end up with two two-unit lots side by side and asked if it would allow for that if they were architecturally pleasing.

Community Development Supervisor Peters responded that would be the benefit of requiring an architectural rendering ahead of time.

City Administrator Wayman stated that they are trying to avoid a monochromatic neighborhood, and that any submission of a well thought out piece of construction that would add to the neighborhood would be administratively approved. He added that they are trying to create a step up from a duplex and create affordable housing for single family owner occupied candidates to purchase something a step up from a duplex.

Council Member Sample wondered how they would do that.

City Administrator Wayman wasn't sure he understood.

Council Member Sample replied that he is trying to understand what the proposal is, to compare to what had been done in the past, and how they could get two owners in a nine thousand square foot lot.

City Administrator Wayman responded that they can't, as it would be a minimum of a ten thousand square foot lot.

Council Member Sample wondered why they would make that a requirement when a duplex requirement is only nine thousand square feet for every ten lots.

Community Development Supervisor Peters remarked that he was talking about splitting up a duplex lot where someone could own one half of a duplex, but they want it to be larger, to have more area and space than what a normal duplex lot allows for but less than a single family home. He felt it was in the middle of the road.

City Administrator Wayman felt it was workable as long as it didn't exceed the underlying density.

Council Member Sample expressed his confusion as the smaller units he has built were immensely popular.

City Administrator Wayman remarked that they reviewed that, and the feedback was that they were unpopular with the surrounding residents, with many converted to rentals very quickly.

Council Member Sample commented that they have approved duplexes on nine thousand square foot lots, and if they split them in two they have exactly the same thing. He wondered what the difference was.

City Administrator Wayman responded that it was the square footage of the lot.

Council Member Sample commented that most people could not tell the difference between a nine thousand or ten thousand square foot lot with two units.

City Administrator Wayman stated that staff intent was to make this new concept a step up from a duplex.

Council Member Carlson opined that the new code wouldn't allow someone to go to a current duplex and say it was now a single family dwelling.

Council Member Sample asked that he explain the difference.

Council Member Carlson felt it was encouraging new construction, and not letting them go back on what was already built.

City Administrator Wayman stated that the Planning Commission wasn't finished with the matter yet, and they might allow a smaller footprint in moderate density.

Community Development Supervisor Peters outlined the two different approaches Council could take regarding the matter, adding that his experience is that the process started off as moderately easy then Council got an earful and the Planning Commission they want to tighten it up and make it a tough process for both accessory and common wall dwellings.

City Administrator Wayman noted that they are a more cautious approach than the City of Yakima.

Council Member Sample commented that they approved twelve single family houses on three thousand square foot lots, which took it from R-1 to R-3 density.

Administrator Wayman stated that was a planned development.

Mayor Raymond remarked that her thought was to make it harder to do, rather than easy, to avoid having them pop up all over.

Human Resources Manager Potter said that they had an excellent interview process for the Building Permit Specialist position, which included a lot of people in the office in the process, and they all came to the same conclusion on the person to be hired. He said that Brandy Atkins lives out on the Wenas, has worked for several state agencies before, and is very qualified. He added that the Clerk/Treasurer brought to his attention an oversight regarding salary comparisons with other communities, as they wanted to increase the salary in advertisement to draw in qualified individuals, but did so without a salary Ordinance change which would be presented at the next meeting. He congratulated Court Administrator Ibarra for receiving a sixteen thousand dollar grant, to be distributed in two portions to benefit the public defense of indigent populations, which would potentially add services while using it to cover existing expenditures.

Clerk/Treasurer Novobielski noted a minor error in wording in the Graf Annexation Resolution, which did not affect enforceability. He said that paragraph three referenced the County Treasurer when it should have been County Assessor, and that he desired to do a pen and ink amendment of the signed Ordinance.

Recreation Manager Mullen had no report.

Mayor Raymond requested that he talk about the skate park.

Recreation Manager Mullen said that the skate park was trashed that afternoon, and would be closed down for a week, as it is unacceptable for the community and seems to have been done on purpose.

Council Member Underwood suggested installing some fake cameras.

Recreation Manager Mullen responded that he would discuss that with staff.

Mayor Raymond felt the older kids who use it should also monitor and report problems.

Council Member Ritchie asked for a status on the updated park.

Recreation Manager Mullen stated that they were not able to match funds for the grant.

Council Member Ritchie asked if they would wait.

Recreation Manager Mullen replied in the negative but added that they could try again.

Civic Center Manager Tait said that the blood drive is Thursday, and the Drive Out Hunger food drive this weekend.

City Attorney Noe had no report.

## 2. Council Members

Council Member Ritchie had no report.

Council Member Overby said that they had a brief pool board meeting, as there was no quorum, although they did have some conversation about the next steps. He noted that their next meeting would be October 23rd, to talk about strategies for refloating the levy request out.

Council Member Sample felt that the Cowgirl Up Chamber event was a rousing success.

Council Member Tierney had no report other than the memo he provided to Council and staff.

Council Member Bell said that he too felt the Cowgirl Up event was a great event, with a great presentation by the Chamber.

Council Member Underwood said that there was a nice presentation at the Selah School District Board meeting on Debby Snyder, who has had a positive impact on the community.

Council Member Carlson asked when they would have a finance committee meeting.

Clerk/Treasurer Novobielski responded that he needs to reach out to the committee members to find out what time they could meet, saying that he believes next week would be a good time. He added that he would reach out tomorrow via email to get a time set up for an approximately one hour meeting.

Council Member Carlson informed Public Works Utility Supervisor Jones that the garbage pickup route on Goodlander is leaving trash outside of garbage cans and asked if they could reach out to BDI.

City Administrator Wayman stated that they would talk to them about it, although he suspects it might not be garbage service but rather construction trucks with debris.

Council Member Carlson responded that the reports he got were about picking up cans without stopping and garbage spilling out.

City Administrator Wayman replied that he would talk to Aubrey himself.

Council Member Carlson asked about the establishment of a centennial committee as discussed at the Council Retreat.

City Administrator Wayman responded that they are discussing the matter.

Recreation Manager Mullen added that they were discussing it that morning and they hope to have a plan and outline by the end of the month.

City Administrator Wayman commented that they want to wait until next year, when the new Council Members are on board.

### 3. City Administrator

City Administrator Wayman said that they have been working hard on the budget the last couple weeks, thanking Clerk/Treasurer Novobielski and the rest of the staff for their hard work. He went on to say that there were big requests with plausible options, and they managed to get it within the City's revenue capacity to come up with a pretty good product for consideration.

4. Boards

a. Planning Commission Minutes – September 19, 2017

5. Mayor

Mayor Raymond expressed her thanks to the Police Department for the officers out and about in areas she doesn't typically see them.

**Council took a five minute recess.**

P. Executive Session

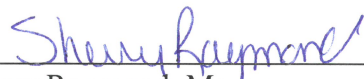
1. 30 Minute Session – Potential Litigation RCW 42.30.110 (1) (i)

Council went into Executive Session at 5:33pm. At 6:03pm, Council went back on the record. Mayor Raymond stated that no action was taken during the Executive Session.

Q. Adjournment

**Council Member Tierney moved, and Council Member Carlson seconded, that the meeting be adjourned. By voice vote, approval was unanimous.**

The meeting adjourned at 6:03 pm.

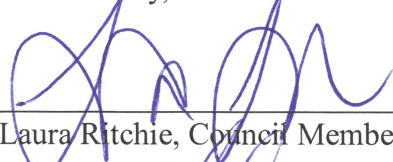
  
Sherry Raymond, Mayor

Paul Overby, Council Member

  
Roy Sample, Council Member


  
Roger Bell, Council Member

John Tierney, Council Member

  
Laura Ritchie, Council Member

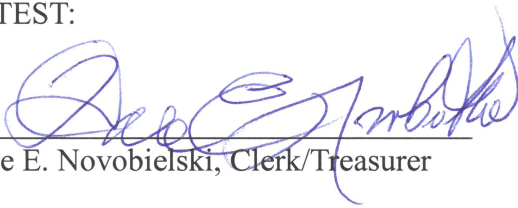
  
Russell Carlson, Council Member





Diane Underwood, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer